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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,207	02/20/2004	Jim B. Surjaatmadja	2003-IP-012367UI	6688

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Robert A. Kent
Halliburton Energy Services
2600 South 2nd Street
Duncan, OK 73536-0440

EXAMINER

CARRILLO, BIBI SHARIDAN

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/783,207	SURJAATMADJA ET AL.	
	Examiner	Art Unit	
	Sharidan Carrillo	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-18 and 60-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 60-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/13/2005, 12/9/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-3, 6-18 and 62 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The limitations of a particle size greater than 300 microns is not supported by the specification and claims as originally filed and therefore constitute new matter.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5, 14, and 60-62 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto et al. (4575396).

Matsumoto teaches a method of wet blasting a surface with blasting media in order to clean the surface. In col. 3, lines 5-10, Matsumoto teaches blasting media comprising particles having a diameters of less than 0.5mm, which is equivalent to 500

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microns. In col. 6, lines 20-25, Matsumoto teaches jetting the blasting media with water and compressed air against the object to be cleaned. In reference to claims 2-3, refer to col. 6, lines 20-25. In reference to claim 5, refer to col. 4, lines 27-29. In reference to claim 14, the limitations are inherently met since Matsumoto teaches a particle size of less than 500 microns. In reference to claims 61-62, refer to col. 4, lines 25-29 and col. 3, lines 3-5.

5. Claims 1-3, 10-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Yam et al. (5865902).

Yam et al. teach a method of cleaning electronic hardware by blasting with an abrasive media comprising a water soluble alkaline salt of bicarbonate and carbonate. Yam teaches particle sizes no larger than about 300 microns in diameter (Abstract). The limitations of greater than 300 microns reads on the teachings of Yam since "about 300 microns" can include values greater than 300 microns" (i.e. 301-303microns). In reference to claims 2-3, refer to col. 5, lines 10-13. In reference to claims 10-13, the limitations are met since Yam teaches a bicarbonate salt. In reference to claim 14, refer to col. 7, lines 28-47. In reference to claim 15, refer to col. 5, lines 30-35. In reference to claim 16, refer to col. 5, lines 55-62. In reference to claim 18, refer to col. 5, lines 30-35.

6. Claims 1-3 and 6-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Roelofs et al. (5993562).

Roelofs teaches a method of cleaning the interior surfaces of a fluid delivery

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system by blasting with an abrasive particle in a liquid carrier. In col. 6, lines 1-65, Roelofs teaches particle sizes ranging from 5 to 500 microns. In reference to claims 2-3, refer to col. 6, lines 53-55. In reference to claims 6-7 and 10-13, refer to col. 6, lines 30-39 which teach abrasive particles comprising starch, boric acid, calcium borate, zinc borate, and sodium bicarbonate. In reference to claims 8-9, refer to col. 6, lines 53-67. In reference to claim 14, the limitations are inherently met since Roelofs teaches the claimed particle size.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roelofs et al. (5993562) in view of Houghton (EP0510762).

Roelofs fails to teach the limitations of claim 17. Houghton teaches a cleaning composition comprising abrasive particles, such as perborate compounds. On page 8, lines 50-65, Houghton teaches that the cleaning compositions include conventional adjuvants such as corrosion inhibitors. It would have been obvious to a person of ordinary skill in the art to modify the method of Roelofs to include adjuvants, such as corrosion inhibitors, as taught by Houghton, which are conventionally used in the cleaning compositions.

Response to Arguments

11. Applicant argues that the specification has sufficient support for the limitations of a particle size greater than 300 microns. Applicant argues that to satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor has possession of the claimed invention. Applicant's arguments are unpersuasive since it seems that applicant is arguing enablement and the rejection of the claims is based on a new matter rejection. Applicant also argues that since the instant specification

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teaches a particle size in the range of from about 400 mesh to about 8 mesh, the limitations of an average particle size greater than 300 microns is supported by the specification. There is no recitation or suggestion in the original specification of the limitations of a particle size greater than 300 microns. Additionally, a particle size of greater than 300 microns could be outside of the range of 400 mesh to about 8 mesh. A particle size of greater than 300 microns does not include the lower limit of 400 mesh, as exemplified in applicant's embodiment. The particle size of greater than 300 microns can include particle sizes that are greater than 8 mesh and therefore either limit of the range, including numbers in between the range of 400 mesh to about 8 mesh would be excluded from applicant's claimed limitations of greater than 300 micron.

Additionally, it applicant is relying on the range of 400 mesh to about 8 mesh to support

the particle size of greater than 300 microns, the range raises issues of nonenablement since greater than 300 microns includes values outside of the range of 400 mesh to about 8 mesh.

12. Applicant argues that the claims are not anticipated by Matsumoto. Specifically, applicant argues that Matsumoto teaches hard particles and fails to teach degradable particles. Applicant's arguments are unpersuasive because Matsumoto teaches the same particle composition as the instant specification. Specifically, paragraph 14 of the instant specification teaches that the particles can be polycarbonates and Matsumoto teaches particles made of polycarbonate.

13. Applicant argues that Yam teaches particle sizes not more than about 300 microns and fails to teach a particle size greater than about 300 microns. Applicant's arguments are unpersuasive since no larger than about 300 microns reads on the teachings of Yam since "about 300 microns" can include values greater than 300 microns" (i.e. 301-303microns).

14. Applicant argues that Roelofs or Roelofs in combination with Houghton fails to teach jetting against a surface to be cleaned. Applicant's argues that the flow of the abrasive cleaner of Roelofs is not the same as "jetting". Applicant's arguments are unpersuasive. Jetting, as defined by Webster's dictionary, means to emit in a stream. Roelofs teaches circulating the abrasive cleaner at a predetermined flow rate in order to abrade the material that is to be removed from the fluid delivery system. The force of the abrasive cleaner as it is circulated through the interior surface of the fluid delivery system reads on the claimed limitation of jetting.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

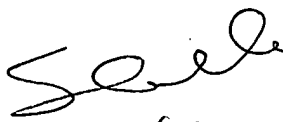
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on Monday-Friday, 6:00a.m-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sharidan Carrillo
Primary Examiner
Art Unit 1746

bsc



2/6/06